

By: Phillips

H.B. No. 644

Substitute the following for H.B. No. 644:

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C.S.H.B. No. 644

A BILL TO BE ENTITLED

AN ACT

relating to criminal liability for certain federal motor carrier safety regulation violations; creating a criminal offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 644.151, Transportation Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows:

(a) A person commits an offense if the person:

(1) violates a rule adopted under this chapter; ~~[or]~~

(2) does not permit an inspection authorized under Section 644.104; or

(3) knowingly operates a commercial motor vehicle in violation of an out-of-service order issued under 49 C.F.R. Section 385.13(d)(1) or owns, leases, or assigns a person to drive a commercial motor vehicle that is knowingly operated in violation of an out-of-service order issued under 49 C.F.R. Section 385.13(d)(1).

(b) An offense under Subsection (a)(1) or (2) ~~[this section]~~ is a Class C misdemeanor.

(b-1) An offense under Subsection (a)(3) is a Class A misdemeanor, except that the offense is:

(1) a state jail felony if it is shown on the trial of the offense that at the time of the offense the commercial motor vehicle was involved in a motor vehicle accident that resulted in

1 bodily injury; or  
2 (2) a felony of the second degree if it is shown on the  
3 trial of the offense that at the time of the offense the commercial  
4 motor vehicle was involved in a motor vehicle accident that  
5 resulted in the death of a person.

6 SECTION 2. This Act takes effect September 1, 2017.